

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2229 of 2019

Budhram Sodhi, S/o. Renuram Sodhi, Aged About 32 Years, Caste - Gond,
R/o. Village - Naumunjmeta, Police Station - Narayanpur, District Narayanpur
Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station -
Narayanpur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Aman Upadhyay, Advocate
For Respondent/State	: Mr. Neeraj Mehta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/09/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.58/2018, registered at Police Station – Narayanpur, District – Narayanpur (C.G.) for the offence punishable under Section 20 (a) of N.D.P.S. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 29.10.2018. The independent witnesses of search and seizure have been examined, who have not supported the prosecution case. Therefore, it is prayed that the applicant may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. The applicant was found cultivating Ganja plant, who were seized by the police personnel of Police Station Narayanpur. Total weight of the Ganja plants was 121 Kg.. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considering that the applicant is in jail since 29.10.2018 and till date the trial has not been concluded and further the witnesses of search and seizure have not supported the prosecution case, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge